

### REMARKS

Applicant would first like to thank the Examiner for the telephone interview granted to Applicant's attorney on March 15, 2004 when the subject application was discussed with respect to the primary cited reference to Arnold (US 6,460,072). During this interview Applicant discussed the distinctions between the present invention and the providing of the amendments made to the claims herein. In this regard the claims have been amended to more clearly set forth that the business relationship between the order terminals and the merchant provider is a pre-established business relationship and does not occur as a result of a customer accessing a merchandise provider as in Arnold et al.

The Examiner, in the official action, rejected claims 1-5, 8-12, 14-15 and 18-20 under 35 USC § 102(b) as being anticipated by Arnold et al. The present application includes two independent claims, 1 and 10, upon which the remaining claims depend at least ultimately. It is respectfully submitted that the independent claims are clearly not taught or suggested by the cited Arnold et al. reference nor would it be obvious to modify such.


In particular, the Arnold reference discloses a virtual outlet (VO) which comprises a web page which carries a variety of different merchandisers thereon. Any customer can access the VO and then, through hot links, can be forwarded on to the merchandise provider (see column 8, line 29 and column 5, line 55). As stated in column 6, lines 3-4, the customer will return to the web page of the VO after the purchase of a product. This is in complete contrast to the present invention wherein: 1) there is a pre-established relationship between the order terminal at which a customer places orders and ultimately the image provider; 2) that the offering that is provided at the order terminal is based on the pre-established business relationship between the order terminal and the provider. Arnold et al. does not teach either. Quite the contrary, the Arnold reference is simply directed to a customer accessing a web page, and based on that, accessing merchandise providers based on customer selections at the VO web page.

The business relationship established by the present invention may comprise a variety of different relationships. As illustrated by Fig. 3 in the specification, the business relationships between the merchandise order terminal and the various providers can take a variety of forms, for example, domestic,

friendly, neutral or hostile. The different business relationship will control the specific type of features and products being ordered. As set forth on page 6, lines 24-27 of the present application, the offerings displayed on the display screens, according to the present invention, are customized in view of the business relationship between the business entity associated with the order terminal and the merchandise provider. As set forth at page 10, lines 28 through page 11, line 5, there are various ways of controlling the offering. For example, how the particular merchandise should be displayed such as controlling a particular type of merchandise that can be displayed as illustrated on page 11, lines 18-25, or as set forth on page 12, line 19 of the present application, providing different prices for same goods dependent upon the relationship between the order terminal and merchandise provider. Thus, it can be seen that the business relationship controls a variety of displays and types of goods and services that will be displayed at the order terminal. There is no teaching or suggestion of providing the pre-established business relationships and tailoring the offerings provided at the order terminal as taught and claimed by Applicants.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,

  
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